

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

AUSA: Susan Fairchild

BPA Michael Everson

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Yonatan DEVORA-RESENDEZ

Case No. Case: 2:25-mj-30116
Assigned To : Unassigned
Assign. Date : 3/6/2025

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 1, 2025 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about March 1, 2025, in the Eastern District of Michigan, Southern Division, Yonatan DEVORA-RESENDEZ an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about December 11, 2019, Laredo, Texas, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: March 6, 2025

City and state: Detroit, MI



Complainant's signature

Michael Everson, BPA

Printed name and title

Judge's signature

Hon. Kimberly G. Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Detroit Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official Immigration file and system automated data relating to Yonatan DEVORA-RESENDEZ, which reveals the following:
2. DEVORA-RESENDEZ is a thirty-three-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected, or paroled by an Immigration Officer.
3. On or about June 4, 2019, DEVORA-RESENDEZ was arrested by Border Patrol Agents near Laredo, Texas. He was processed for Expedited Removal.
4. On or about June 7, 2019, DEVORA-RESENDEZ was removed to Mexico through Laredo, Texas.
5. On or about November 15, 2019, DEVORA-RESENDEZ was arrested by Border Patrol Agents near Carrizo Springs, Texas. His prior order of removal was reinstated.
6. On or about November 18, 2019, DEVORA-RESENDEZ was convicted for Illegal Entry, in violation of 8 U.S.C. §1325(a)(1) and was sentenced to 25 days' imprisonment.
7. On or about December 11, 2019, DEVORA-RESENDEZ was removed to Mexico through Laredo, Texas.
8. On or about February 21, 2025, Detroit Border Patrol Agents encounter DEVORA-RESENDEZ after a request from Sterling Heights Police to assist with identifying a subject following a vehicle stop. DEVORA-RESENDEZ

freely admitted to agents that he was illegally present in the United States. DEVORA-RESENDEZ was transported to the Detroit Border Patrol Station for processing. His prior order of removal was reinstated.

9. Yonatan DEVORA-RESENDEZ's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that DEVORA-RESENDEZ is a citizen of Mexico with the foregoing immigration history who has been previously removed from the United States. The record checks did not provide any evidence that DEVORA-RESENDEZ legally entered the United States or had been issued any document or status that would allow him to enter or remain the United States.
10. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
11. Review of the Alien File (A# xxx xxx 397) for Yonatan DEVORA-RESENDEZ and queries in Department of Homeland Security databases confirm no record exists of DEVORA-RESENDEZ obtaining the express permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on December 11, 2019.

12. Based on the above information, I believe there is probable cause to conclude that Yonatan DEVORA-RESENDEZ, is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



Michael Everson, Border Patrol Agent
U.S. Department of Homeland
Security

Subscribed and sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Kimberly G. Altman
United States Magistrate Judge

March 6, 2025